

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

BARTH, et. al.

Examiner: Cho, Jennifer Y

Application No.:

10/511,040

Art Unit: 1621

Filed:

July 11, 2005

Title: **Terphenyl Derivatives, Preparation
Thereof, Compositions Containing Same**

INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. 1.56, 1.97 AND 1.98

Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Applicants submit herewith patents, publications, and other information of which they are aware, which they believe may be material, as defined in 37 C.F.R. 1.56(b), to the examination of this application and in respect of which there may be a duty to disclose in accordance with 37 C.F.R. 1.56(a). While the information referred to in this Information Disclosure Statement may be material pursuant to 37 C.F.R. 1.56(b), the filing of this Information Disclosure Statement is not intended to, pursuant to 37 C.F.R. 1.97(h), constitute an admission that any patent, publication or other information referred to is, or is considered to be, material to the patentability of this invention. Pursuant to 37 C.F.R. 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information exists.

(a) This Information Disclosure Statement is filed within the period set forth in §1.97(b) because it was submitted: (1) within three months of the filing date of a national application other than a continued prosecution application under §1.53(d); (2) within three months of the date of entry of the national stage as set forth in §1.491 in an international application; (3) before the mailing date of a first Office Action on the merits; or (4) before the mailing of a first Office Action after the filing of request for continued examination under §1.114. In the event the first Office Action has been mailed, the Commissioner is authorized to charge any fees under 37 C.F.R. 1.17(p) or credit any overpayment to Account No. **18-1982**.

(b) This Information Disclosure Statement is filed after the period set forth in 37 C.F.R. 1.97(b), but is believed to be filed before the mailing date of a final action under §1.113 or a notice of allowance under §1.311, whichever occurs first.

(1) The undersigned attorney certifies that each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement;

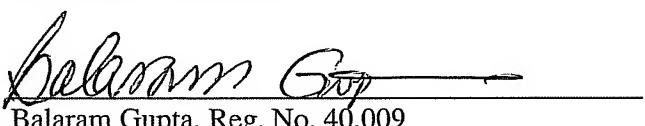
(2) The undersigned attorney certifies that no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to the knowledge of the undersigned attorney after making reasonable inquiry, was known to any individual designated in §1.56(c) more than three months prior to the filing of this statement; or

(3) This Information Disclosure Statement is accompanied by a transmittal letter in which payment of the fee set forth in §1.17(p) and required by 37 C.F.R. 1.97(c) is authorized.

The references listed in the enclosed Form 1449 were submitted earlier in this application on October 12, 2004. However, the Examiner indicated in her Office Action of August 3, 2007 that the copies of the cited foreign patent and the non-patent literature references are non-legible and has not been entered into record. As a result, Applicants are re-submitting the legible copies of the cited references for Examiner's consideration and entry into record. Such an action is respectfully requested.

Respectfully submitted,

December 3, 2007


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